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COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

Tentative Notice of Action

MEETING DATE	CONTACT/PHONE	APPLICANT	FILE NO.
June 22, 2006 LOCAL EFFECTIVE DATE July 6, 2006 APPROX FINAL EFFECTIVE DATE July 27, 2006	Martha Neder, AICP, Planning (805) 781-4576	CCSD	DRC2004-00142

SUBJECT

Request by the Cambria Community Services District (CCSD) for a Development Plan/Coastal Development Permit to allow a three phase geotechnical and hydrogeologic data collection project to aid in the assessment of design alternatives for a future seawater desalination facility. Phase I activities include the completion of approximately seven exploratory soil borings, geophysical exploration with a cone-penetrometer test vehicle that will collect data by pushing a 1 to 2 inch diameter probe into the sand, and a temporary equipment access ramp located at the existing beach parking lot. Phase II activities include the installation of two 4-inch diameter monitoring wells on the beach and geophysical survey along the surf zone and ocean floor. Phase III activities include completing soil borings along proposed pipeline alignments and test pumping from Phase I monitoring wells. The project will result in the disturbance of approximately 2,000 square feet of a 51 acre parcel. The proposed project is within the Recreation land use category and is located in the San Simeon Creek beach area across Highway One from the San Simeon State Parks Campground and Beach parking lot, north of the community of Cambria. The site is in the North Coast planning area.

RECOMMENDED ACTION

1. Review and consider the adopted Mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act (Public Resources Code 21000 et seq.).
2. Approve Development Plan/Coastal Development Permit DRC2004-00142 based on the findings listed in Exhibit A and the conditions listed in Exhibit B

ENVIRONMENTAL DETERMINATION

The proposed project is consistent with the previously adopted Mitigated Negative Declaration for the Geotechnical/Hydrogeologic Investigation Activities for the Pending Desalination Project with the Cambria Community Services District acting as the lead agency under CEQA (distributed under separate cover). This Development Plan/Coastal Development Permit environmental determination is recorded under ED05-438.

LAND USE CATEGORY	COMBINING DESIGNATION	ASSESSOR PARCEL NUMBER	SUPERVISOR DISTRICT(S)
Recreation	WET, SRV, TH, AS, SRA, CAZ, LCP, FH, Water Wells	013-381-007	2

PLANNING AREA STANDARDS:

Site Selection, Site Design, Permit Requirements, Traffic Counts, Setbacks – Coastal, Limitations on Use

Does the project meet applicable Planning Area Standards: Yes - see discussion

LAND USE ORDINANCE STANDARDS:

Setbacks, Coastal Access, Combining Designations, Water Wells and Impoundments

Does the project conform to the Land Use Ordinance Standards: Yes - see discussion

FINAL ACTION

This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14 calendar day local appeal period after the administrative hearing. The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.

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EXISTING USES: State Beach area and parking	
SURROUNDING LAND USE CATEGORIES AND USES: *North:* Agriculture/Single Family Residence *South:* Recreation/State Beach	*East:* Recreation/Campground *West:* Pacific Ocean
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: North Coast Advisory Council, Public Works, Environmental Health, CDF, Cambria Community Services District, APCD, Department of Fish and Game, Cal Trans, California Coastal Commission, RWQCB, State Lands Commission, State Parks, Army Corps of Engineers, and the U.S. Fish and Wildlife Service	
TOPOGRAPHY: Nearly level	VEGETATION: Riparian, freshwater marsh, wetland, scrub, ornamental, ruderal, coastal foredune, coastal salt marsh, beach/coastal strand
PROPOSED SERVICES: Water supply: Not applicable Sewage Disposal: Not applicable Fire Protection: CDF	ACCEPTANCE DATE: May 9, 2006

DISCUSSION

PROJECT DESCRIPTION
The data collection project consists of three phases:

- Phase I – Drill approximately seven exploratory soil borings, approximately 4 to 6 inches in diameter each, in locations parallel with and in close proximity to the beach surf zone from the San Simeon Creek beach area to the parking lot beach area located approximately 1,000 feet to the south. Phase I work would also include geophysical exploration with a cone-penetrometer test vehicle that will collect data by pushing a 1 to 2 inch diameter probe into the sand within the same general beach areas. A temporary equipment access ramp would be installed in the parking lot area and remain for all three phases.
- Phase II – Install two 4-inch diameter monitoring wells on the San Simeon Creek beach area and the parking lot beach area as well as a geophysical survey along the surf zone and ocean floor at the San Simeon Beach area.
- Phase III – Drill approximately 17 soil borings along the proposed pipeline alignments and other project elements that are not located within the beach area. Phase III will also include test pumping from the monitoring wells installed under Phase III.

The project requires an access ramp at the southern end of the existing parking area on the west side of Highway One. Aggregate rock base would be placed at the south end of the parking lot. Wood timbers or a pre-fabricated ramp would be placed on top by a crane. A winch may be used for lowering or lifting rubber wheeled trucks and equipment on the ramp. Temporary cabling and anchorage of the winch may be completed by constructing a drilled concrete pier anchor in the parking lot. The ramp would be used each evening to allow drilling and test equipment to be completely removed from the beach area. Upon removal of the temporary ramp, the base rock would either be removed or spread for use within the parking lot. All temporary anchorages for the winching system would be removed when the project is complete.

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PROJECT SCHEDULE
Phase I activities would require approximately five to ten working days to complete. Phase II activities would require approximately three to five working days to complete. Temporary beach access for all three phases would be left in place for approximately one month.

PROJECT HISTORY
The CCSD provides potable water service to the community of Cambria and the State Parks campground at San Simeon State Beach. The CCSD has experienced water supply shortages and has been under a Water Code Section 350 emergency declaration since November 2001. Historically, the CCSD relies on the San Simeon Creek and Santa Rosa Creek aquifers for its water supply. These aquifers are narrow and thin and recharge relatively quickly following the establishment of stream flow in the fall or winter season. The CCSD uses its San Simeon well field as its main source of supply. The Santa Rosa wells are currently shut down due to a methyl tert-butyl ether (MTBE) plume associated with a nearby gasoline storage tank release. To provide a reliable water supply during dry summer months and during drought periods, the CCSD is pursuing the completion of a seawater desalination project. Geotechnical and hydrogeologic investigations proposed as part of this permit will allow the collection of data needed to assess design alternatives for a future seawater desalination facility.

PLANNING AREA STANDARDS:
Site Selection: *Primary site selection for new development shall not be visible from Hwy 1.*
The project is consistent with this standard as no permanent structures will be constructed. Any impacts to the viewshed will be temporary (approximately one month).

Site Planning: *Proposed uses are to be concentrated in the least sensitive portions of the site.*
The project is consistent with this standard as disturbance is proposed in the least sensitive portions of the site feasible. The purpose of the project is data collection. Soil boring locations are based on past geophysical exploration work that identified the approximate profile of underlying alluvial and bedrock in the area. The drill holes are located as far away from sensitive areas as possible without compromising the objectives of the geotechnical study. Further, study activities reduce disturbance to the greatest extent feasible as drill rigs will be truck mounted which can drive in and out of each drilling location without the need to construct access roads, ground surface will be restored after completion of each drill hole, storm water best management practices will be utilized, and riparian vegetation will not be trimmed or removed during the course of the proposed drilling activities.

Site Design: *Development shall minimize adverse impacts on marine resources.*
The project is consistent with this standard as disturbance is located as far away from marine resources as possible while meeting the objectives of the geotechnical study. Further, field activities are temporary (scheduled to take one month to complete) study activities reduce disturbance to the greatest extent feasible as drill rigs will be truck mounted which can drive in and out of each drilling location without the need to construct access roads, ground surface will be restored after completion of each drill hole, storm water best management practices will be utilized, and riparian vegetation will not be trimmed or removed during the course of the proposed drilling activities.

Permit Requirement: *Development Plan approval is required for all development in REC.*
The applicant is requesting Development Plan approval.

Traffic Counts: *Estimated traffic counts for new development must be submitted.*
A maximum of 8 vehicle trips per day would be generated as a result of the project. This estimate is expected for the duration of the project.

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Setbacks: *Structures are to be located a minimum of 50 feet from Mean High Tide Line (MHTL) or edge of bluffs.*
The project is consistent with this standard as no permanent structures will be constructed and the proposed activities are located as far from MHTL or the edge of bluff as possible while meeting the objectives of geotechnical study.

Limitation on Use: *Non-principal permitted uses include water wells and impoundments.*
While geotechnical and hydrogeologic data collection is not specifically listed in the definitions of land uses in County's Land Use Element, the project is most closely fits into the water well and impoundments use group.

LAND USE ORDINANCE STANDARDS:
Local Coastal Plan/Coastal Appealable Zone: The project site is located within the California Coastal Zone as determined by the California Coastal Act of 1976 and is subject to the provisions of the Local Coastal Plan. This project is considered appealable development because it is within 300 feet of a beach and within 100 feet of a wetland and any decision made by the county regarding this project's land use application may be appealed to the California Coastal Commission pursuant to Public Resources Codes Section 30603(a).

Flood Hazard: Temporary uses are allowed within the Flood Hazard area. The proposed use is partially within the Flood Hazard Area and is temporary. No structure will be in place from October 15 to April 15 within the Flood Hazard area.

Sensitive Resource Area/ Wetlands/Streams and Riparian Vegetation: The project is consistent with the provisions of this section. The purpose of the project is data collection. Soil boring locations are based on past geophysical exploration work that identified the approximate profile of underlying alluvial and bedrock in the area. The drill holes are located as far away from sensitive areas as possible without compromising the objectives of the geotechnical study. Further, study activities reduce disturbance to the greatest extent feasible as drill rigs will be truck mounted which can drive in and out of each drilling location without the need to construct access roads, ground surface will be restored after completion of each drill hole, storm water best management practices will be utilized, and riparian vegetation will not be trimmed or removed during the course of the proposed drilling activities.

New development is to be located more than 100 feet from the upland edge of riparian habitats. There are no permanent structures proposed with this project. While drill holes are located within the 100 foot riparian setback, the drill holes cannot be relocated without compromising the objectives of the study. Study activities are located as far away from the wetland as feasible and development has been designed and sited to prevent significant impacts to Sensitive Resource Areas.

Archaeologically Sensitive: The proposed project is located in an Archaeologically Sensitive Area. A Phase I Archaeological Survey was prepared by CRMS on August 16, 2005 and an Archaeological Monitoring Plan was prepared by CRMS on December 1, 2005. The project is required to implement this plan.

Water Wells and Impoundments: This section details permit and monitoring report requirements. A well monitoring report is not required as the proposed project is for Phase I exploratory activities to aid in the assessment of design alternatives for a Seawater Desalination Facility and does not include actual water wells.

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COASTAL PLAN POLICIES: The project is consistent with the Coastal Plan Policies. The most relevant policies are discussed below.

Shoreline Access Policy 1: *Protection of Existing Access*
Recreation and Visitor Serving Facilities Policy 1: *Recreation Opportunities*
Existing access and coastal recreation and visitor-serving facilities are protected with this project. The day-use parking lot west of Highway One and south of San Simeon Creek would be used as an equipment staging area and beach access point during drilling and survey activities. Installation and removal of the interim equipment access ramp would remove approximately 15 spaces from public use for a maximum of four 8-hour workdays. The parking lot east of Highway One, which is connect to the beach area via a boardwalk underneath the Highway One bridge, would be able to accommodate parking displaced due to ramp installation and removal.

The remainder of test activities would require temporary cordoning off approximately 10 to 15 parking spaces in the southern portion of the day-use parking lot west of Highway One and south of San Simeon Creek. The northern portion of this parking lot is adequate to accommodate any displaced parking.

A temporary barricade would be constructed at the interim equipment ramp entrance to prevent use by unauthorized vehicles. Temporary construction fencing would be installed to separate investigation activities from the public. During weekend periods, test equipment would be relocated to CCSD property with only the interim ramp remaining in place. Work would only be conducted on weekdays when tourist activity is less frequent.

Environmentally Sensitive Habitats Policy 1: *Land Uses Within or Adjacent to ESHA*
Environmentally Sensitive Habitats Policy 2: *Permit Requirement*
Environmentally Sensitive Habitats Policy 3: *Habitat Restoration*
These policies requires that development within or adjacent to environmentally sensitive habitats do not significantly disrupt the resource, demonstrate that there will be no significant impact on sensitive habitats and that proposed development or activities be consistent with the biological continuance of the habitat, and restoration of damaged habitats. Within an existing resource, only those uses dependent on such resources are allowable.

The purpose of the project is data collection. Soil boring locations are based on past geophysical exploration work that identified the approximate profile of underlying alluvial and bedrock in the area. The drill holes are located as far away from sensitive areas as possible without compromising the objectives of the geotechnical study. Further, study activities reduce disturbance to the greatest extent feasible as drill rigs will be truck mounted which can drive in and out of each drilling location without the need to construct access roads, ground surface will be restored after completion of each drill hole, storm water best management practices will be utilized, and riparian vegetation will not be trimmed or removed during the course of the proposed drilling activities.

Environmentally Sensitive Habitats Policy 7: *Protection of ESHA*
Environmentally Sensitive Habitats Policy 17: *Wetland Buffer*
This policy recognizes coastal wetlands as environmentally sensitive habitats. The one drill hole location located within Van Gordon Creek has been deleted from the drilling program. While thirteen drill hole locations are located within the 100 foot wetland setback, the drill holes cannot be relocated without compromising the objectives of the study. Further, study activities will not have a significant impact on sensitive habitats as described above.

Environmentally Sensitive Habitats Policy 12: *State Department of Fish and Game Review*

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This policy requires State Department of Fish and Game (Fish and Game) review of all applications for development within or adjacent to coastal wetlands. The project was referred to Fish and Game. No comments have been received. Further, conditions of approval require evidence of permits or verification that no permit is required from Fish and Game prior to issuance of any construction or grading permit.

Environmentally Sensitive Habitats Policy 16: *Adjacent Development*
The project is consistent with this policy as study activities are located as far away from the wetland as feasible and development has been designed and sited to prevent significant impacts to wetlands.

Environmentally Sensitive Habitats Policy 20: *Coastal Streams and Riparian Vegetation*
Environmentally Sensitive Habitats Policy 21: *Development in or Adjacent to a Coastal Stream*
These policies recognize coastal streams and riparian vegetation as environmentally sensitive habitat areas and require development adjacent or within the watershed to be sited and designed to prevent impacts which would significantly degrade the coastal habitat. The project is consistent with policies as disturbance is proposed in the least sensitive portions of the site feasible.

Environmentally Sensitive Habitats Policy 22: *Riparian Vegetation*
This policy prohibits cutting or alteration of naturally occurring riparian vegetation. Riparian vegetation will not be trimmed or removed.

Environmentally Sensitive Habitats Policy 28: *Buffer Zone for Riparian Habitats*
The new development is to be located more than 100 feet from the upland edge of riparian habitats. There are no permanent structures proposed with this project. While drill holes are located within the 100 foot riparian setback, the drill holes cannot be relocated without compromising the objectives of the study. Further, study activities will not have a significant impact on sensitive habitats as described above.

Environmentally Sensitive Habitats Policy 39: *Siting of Shoreline Structures*
The project is consistent with this policy because the drill locations are sited and designed to avoid and minimize impacts on marine habitats.

Coastal Watersheds Policy 9: *Techniques for Minimizing Sedimentation*
The project is consistent with this policy because mitigation measures are included which require restoration activities to address erosion impacts to the bluff.

Visual and Scenic Resources Policy 1: *Protection of Visual and Scenic Resources*
This policy requires preservation, protection, and restoration of unique and attractive features of the landscape. No permanent structures are proposed with the project and ground surface will be restored after completion of each drill hole.

Visual and Scenic Resources Policy 10: *Development on Beaches and Sand Dunes*
This policy prohibits new development on open sandy, beaches, except facilities required for public health and safety. No permanent structures are proposed with the project. The project is to allow the collection of data needed to assess design alternatives for a future seawater desalination facility to provide a reliable water supply during dry summer months and during drought periods.

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Hazards Policy 1: *New Development*
This policy requires all new development to be located and designed to minimize risks to human life and property. No permanent structures are proposed with this project and a Hazardous Spill Contingency Plan has been prepared for the project to present the procedures and protocols that will be utilized in the event of a release of hazardous materials either onshore or in the marine environment.

Archaeology Policy 1: *Protection of Archaeological Resources*
Archaeology Policy 4: *Preliminary Site Survey for Development within Archaeologically Sensitive Areas*
A Phase I Archaeological Survey was prepared by CRMS on August 16, 2005 and an Archaeological Monitoring Plan was prepared by CRMS on December 1, 2005. The project is required to implement this plan.

COMMUNITY ADVISORY GROUP COMMENTS: No comments

AGENCY REVIEW:
State Parks – See attached
California Coastal Commission – See attached
Public Works- No concerns, area is under jurisdiction of State Parks and CalTrans
Cambria Community Services District – Recommend approval
Cal Trans – An encroachment permit is required for work within the Hwy 1 Right of Way
APCD – No response received
Department of Fish and Game – No response received
RWQCB – No response received
State Lands Commission – No response received
Environmental Health – No response received
CDF – No response received
Army Corps of Engineers - No response received
U.S. Fish and Wildlife Service – No response received

LEGAL LOT STATUS:
The lot was legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Martha Neder and reviewed by Matt Janssen

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EXHIBIT A - FINDINGS

Environmental Determination

A. The proposed project is consistent with the previously certified Mitigated Negative Declaration for the Geotechnical/Hydrogeologic Investigation Activities for the Pending Desalination Project with the Cambria Community Services District acting as the lead agency under CEQA. This Development Plan/Coastal Development Permit environmental determination is recorded under ED05-438.

Development Plan

B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.

C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.

D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the project does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.

E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the project is similar to, and will not conflict with, the surrounding lands and uses.

F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located Highway One, a road constructed to a level able to handle any additional traffic associated with the project.

Coastal Access

G. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the property is owned by State Parks and existing lateral and vertical access exists. Displace parking in the southern portion of the parking lot will be accommodated in the northern portion of the parking lot or in the parking lot east of Highway One, which is connected to the beach area via a boardwalk underneath the Highway One bridge. A temporary barricade would be constructed at the interim equipment ramp entrance to prevent use by unauthorized vehicles. Temporary construction fencing would be installed to separate investigation activities from the public. During weekend periods, test equipment would be relocated to CCSD property with only the interim ramp remaining in place. Work would only be conducted on weekdays when tourist activity is less frequent.

Sensitive Resource Area

H. The development will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through the site design, because the project has been designed to avoid or minimize disturbance near sensitive habitats. Disturbance is

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proposed in the least sensitive portions of the site feasible. The drill holes are located as far away from sensitive areas as possible without compromising the objectives of the geotechnical study. Further, study activities reduce disturbance to the greatest extent feasible as drill rigs will be truck mounted which can drive in and out of each drilling location without the need to construct access roads, ground surface will be restored after completion of each drill hole, storm water best management practices will be utilized, and riparian vegetation will not be trimmed or removed during the course of the proposed drilling activities.

I. Natural features and topography have been considered in the design and siting of all proposed physical improvements because all disturbance and is located as far away from the sensitive resource areas as possible. The drill holes are located as far away from sensitive areas as possible without compromising the objectives of the geotechnical study. Further, study activities reduce disturbance to the greatest extent feasible as drill rigs will be truck mounted which can drive in and out of each drilling location without the need to construct access roads, ground surface will be restored after completion of each drill hole, storm water best management practices will be utilized, and riparian vegetation will not be trimmed or removed during the course of the proposed drilling activities..

J. The proposed clearing of topsoil, trees, is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource.

K. The soil and subsoil conditions are suitable for any proposed excavation and site preparation and drainage improvements have been designed to prevent soil erosion, and sedimentation of streams through undue surface runoff, because the project has been designed to avoid or minimize disturbance near sensitive habitats. Disturbance is proposed in the least sensitive portions of the site feasible. The purpose of the project is data collection. Soil boring locations are based on past geophysical exploration work that identified the approximate profile of underlying alluvial and bedrock in the area. The drill holes are located as far away from sensitive areas as possible without compromising the objectives of the geotechnical study. Further, study activities reduce disturbance to the greatest extent feasible as drill rigs will be truck mounted which can drive in and out of each drilling location without the need to construct access roads, ground surface will be restored after completion of each drill hole, storm water best management practices will be utilized, and riparian vegetation will not be trimmed or removed during the course of the proposed drilling activities.

L. There will be no significant negative impact on the identified sensitive habitat and the proposed use will be consistent with the biological continuance of the habitat. Disturbance is proposed in the least sensitive portions of the site feasible. Further, study activities reduce disturbance to the greatest extent feasible as drill rigs will be truck mounted which can drive in and out of each drilling location without the need to construct access roads, ground surface will be restored after completion of each drill hole, storm water best management practices will be utilized, and riparian vegetation will not be trimmed or removed during the course of the proposed drilling activities.

M. The proposed use will not significantly disrupt the habitat. Disturbance is proposed in the least sensitive portions of the site feasible. The purpose of the project is data collection. Soil boring locations are based on past geophysical exploration work that identified the approximate profile of underlying alluvial and bedrock in the area. The drill holes are located as far away from sensitive areas as possible without compromising the objectives of the geotechnical study. Further, study activities reduce disturbance to the

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greatest extent feasible as drill rigs will be truck mounted which can drive in and out of each drilling location without the need to construct access roads, ground surface will be restored after completion of each drill hole, storm water best management practices will be utilized, and riparian vegetation will not be trimmed or removed during the course of the proposed drilling activities.

N. The site would be physically unusable for the principal permitted use unless the setback is reduced. The purpose of the project is data collection. Soil boring locations are based on past geophysical exploration work that identified the approximate profile of underlying alluvial and bedrock in the area. The drill holes are located as far away from sensitive areas as possible without compromising the objectives of the geotechnical study.

O. The reduction is the minimum that would enable a principal permitted use to be established on the site after all practical design modifications have been considered. Geotechnical and hydrogeologic data collection is not specifically listed in the definitions of land uses in County's Land Use Element. While the project most closely fits into the water well and impoundments use group, the data collection activities are temporary. Soil boring locations are based on past geophysical exploration work that identified the approximate profile of underlying alluvial and bedrock in the area. Due to the nature of data to be collected, the drill holes must be located in this specific area. Therefore, the data collection activities are considered a principally permitted use. The drill holes are located as far away from sensitive areas as possible without compromising the objectives of the geotechnical study. Further, study activities reduce disturbance to the greatest extent feasible as drill rigs will be truck mounted which can drive in and out of each drilling location without the need to construct access roads, ground surface will be restored after completion of each drill hole, storm water best management practices will be utilized, and riparian vegetation will not be trimmed or removed during the course of the proposed drilling activities.

P. The adjustment would not allow the proposed development to locate closer to the wetland than allowed by using the stringline setback method pursuant to Section 23.04.118a of this title. CZLUO Section 23.04.118a has been amended and the stringline setback method no longer exists as a means for determining bluff setback.

Q. Alternative locations and routes are infeasible or more environmentally damaging because soil boring locations are based on past geophysical exploration work that identified the approximate profile of underlying alluvial and bedrock in the area. Due to the nature of data to be collected, the drill holes must be located in this specific area. The drill holes are located as far away from sensitive areas as possible without compromising the objectives of the geotechnical study.

R. Adverse environmental effects are mitigated to the maximum extent feasible because the project has been designed to avoid or minimize disturbance near sensitive habitats. Disturbance is proposed in the least sensitive portions of the site feasible. The purpose of the project is data collection. Soil boring locations are based on past geophysical exploration work that identified the approximate profile of underlying alluvial and bedrock in the area. The drill holes are located as far away from sensitive areas as possible without compromising the objectives of the geotechnical study. Further, study activities reduce disturbance to the greatest extent feasible as drill rigs will be truck mounted which can drive in and out of each drilling location without the need to construct access roads, ground surface will be restored after completion of each drill hole, storm water best management practices will be utilized, and riparian vegetation will not be trimmed or removed during the course of the proposed drilling activities.

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S. The adjustment is necessary to allow a principal permitted use of the property and redesign of the proposed development would not allow the use within the standard setbacks. Geotechnical and hydrogeologic data collection is not specifically listed in the definitions of land uses in County's Land Use Element. While the project most closely fits into the water well and impoundments use group, the data collection activities are temporary. Soil boring locations are based on past geophysical exploration work that identified the approximate profile of underlying alluvial and bedrock in the area. Due to the nature of data to be collected, the drill holes must be located in this specific area. Therefore, the data collection activities are considered a principally permitted use. The drill holes are located as far away from sensitive areas as possible without compromising the objectives of the geotechnical study. Further, study activities reduce disturbance to the greatest extent feasible as drill rigs will be truck mounted which can drive in and out of each drilling location without the need to construct access roads, ground surface will be restored after completion of each drill hole, storm water best management practices will be utilized, and riparian vegetation will not be trimmed or removed during the course of the proposed drilling activities.

T. The adjustment is the minimum that would allow for the establishment of a principal permitted use because soil boring locations are based on past geophysical exploration work that identified the approximate profile of underlying alluvial and bedrock in the area. Due to the nature of data to be collected, the drill holes must be located in this specific area. The drill holes are located as far away from sensitive areas as possible without compromising the objectives of the geotechnical study.

Archeological Sensitive Area

U. The site design and development incorporate adequate measures to ensure that archeological resources will be acceptably and adequately protected because the Archaeological Monitory Plan will be followed during ground disturbing activities.

V. The site design and development cannot be feasible changed to avoid intrusion into or disturbance of archaeological resources. Construction will use appropriate methods to protect the integrity of the site and the Archaeological Monitoring Plan will be followed during ground disturbing activities.

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EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

1. This approval authorizes a three phase Geotechnical and Hydrogeolgic data collection project consisting of:

   a. Phase I – Complete approximately seven exploratory soil borings, approximately 4 to 6 inches in diameter each, in locations parallel with and in close proximity to the beach surf zone from the San Simeon Creek beach area to the parking lot beach area located approximately 1,000 feet to the south. Phase I work would also include geophysical exploration with a cone-penetrometer test vehicle that will collect data by pushing a 1 to 2 inch diameter probe into the sand within the same general beach areas. A temporary equipment access ramp would be installed in the parking lot area and remain for all three phases.

   b. Phase II – Install two 4-inch diameter monitoring wells on the San Simeon Creek beach area and the parking lot beach area as well as a geophysical survey along the surf zone and ocean floor at the San Simeon Beach area.

   c. Phase III – Complete soil borings along the proposed pipeline alignments and other project elements that are not located within the beach area. Phase III will also include test pumping from the monitoring wells installed under Phase III.

   d. An access ramp at the southern end of the existing parking area on the west side of Highway One. Aggregate rock base would be placed at the south end of the parking lot. Wood timbers or a pre-fabricated ramp would be placed on top by a crane. A winch may be used for lowering or lifting rubber wheeled trucks and equipment on the ramp. Temporary cabling and anchorage of the winch may be completed by constructing a drilled concrete pier anchor in the parking lot. The ramp would be used each evening to allow drilling and test equipment to be completely removed from the beach area. Upon removal of the temporary ramp, the base rock would either be removed or spread for use within the parking lot. All temporary anchorages for the winching system would be removed.

Conditions to be completed prior to project activities

2. **Prior to any project activities,** the CCSD shall provide evidence that an environmental monitor approved by the County has been retained for all measures requiring environmental mitigation to ensure compliance with County Conditions of Approval and Mitigated Negative Declaration measures. Costs of the monitor shall be paid for by the applicant.

3. **Prior to any project activities**, the CCSD shall provide a copy of permits or verification tat no permit is necessary from State Parks, Coastal Commission, U.S. Fish and Wildlife Services, Army Corps of Engineers, CalTrans, and the State Lands Commission.

4. **Prior to any project activities,** the CCSD shall provide an archaeological monitoring plan prepared by a qualified archaeologist for review and approval by the Department of Planning and Building. The monitoring plan shall be approved by State Parks and the State Historic Preservation Officer and include a measure that includes requirements that the drill hole will be relocated if significant archaeological resources are encountered

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during excavation of the control unit. All excavation shall be guided by this cultural resources monitoring plan. The monitoring plan shall provide that the following activities are excluded from designated sensitive areas:

a. Unnecessary excavations
b. Staging equipment on undisturbed portions of an archaeological site
c. Collection, removal, or unnecessary displacement of any artifacts, eco-facts, or cultural remains
d. Removal of native soil outside a sensitive area

5. **Prior to mobilization,** a pre-activity survey shall be conducted by a qualified biologist and a certified marine biologist. The survey shall include the entire project site and surrounding habitats. During the survey, the biologists shall survey for the presence/absence of marine mammals, western snowy plover, southwestern pond turtle, California red-legged frog, two-striped garter snake, foothill yellow-legged frog and special-status nesting bird species.

6. **Prior to data collection and temporary access ramp installation activities,** the project site shall be clearly delineated with stakes, flagging, rope or cord to minimize inadvertent degradation or loss of adjacent wildlife habitat during study activities. Delineation material shall be maintained by the qualified biologist for the duration of the construction activities.

7. **Prior to data collection and temporary access ramp installation activities,** a qualified biologist and certified marine biologist shall conduct an employee education program for all employees and contractors who would work on the project site. At a minimum, the program shall include the following components, as they relate to potentially-occurring special-status species:

a. Known habitat requirements;
b. A color photograph of the species;
c. A summary of the occurrence of potentially-occurring special-status species in the vicinity of the project site;
d. Special-status species protection under the Endangered Species Acts; and,
e. A review of avoidance and minimization measures to be implemented during the project.

8. **Prior to any project activities,** pre-project photo-documentation shall be completed for the proposed ramp area to determine if impacts to the bluff edge or face result from the temporary placement of the access ramp.

9. **Prior to any project activities,** a Hazardous Spill Contingency Plan (HSCP) shall be prepared for the project and shall be implemented to reduce the potential of hydrocarbon spills to a less than significant level. The HSCP shall include a provision that in the event that fuel or oil release occurs during the project activities, all work will cease and spill response and countermeasures will be implemented and project manager shall immediately notify the appropriate regulatory agencies (including, but not limited to: California Office of Emergency Services, California State Parks, California Department of Fish and Game - OSPR, California Coastal Commission and the Regional Water Quality Control Board, Central Coast Region) in the event of a reportable spill. The HSCP shall contain a contingency measures to be implemented by the contractor as approved by the regulatory agencies.

I-14

10. **Prior to mobilization, data collection and temporary access ramp installation activities,** a monitoring report prepared by the environmental monitor shall be submitted to the Department of Planning and Building verifying that the above conditions have been met.

Conditions to be completed during project activities

11. **During all project activities,** a monitoring report prepared by the environmental monitor shall be submitted weekly to the Department of Planning and Building verifying that all measures requiring environmental mitigation have been met and that all project activities are be conducted in accordance with the procedures outlined in the project-specific Wildlife Contingency Plan (WCP).

12. **During mobilization, data collection, temporary access ramp installation, and demobilization,** a qualified biologist shall monitor the project site for the presence of biological resources which have the potential to be impacted during project activities (including marine mammals). Potential impacts to non-listed species during this time shall also be avoided and minimized to the extent feasible.

13. **During mobilization, data collection, temporary access ramp installation, and demobilization,** project activities on the beach shall be conducted outside of the nesting period for western snowy plover (March 1 – September 14) to reduce impacts to nesting western snowy plovers. However, due to the potential for wintering western snowy plovers in the project site, a qualified biologist shall monitor the activity of snowy plover to ensure that construction activities are limited to a distance which would not result in an indirect or direct impact to the species, as determined by a qualified biologist monitoring the project site.

14. **During data collection and temporary access ramp installation,** any contractor, employee, or agency personnel who inadvertently kills or injures a special-status species shall immediately report the incident to the designated project representative. The representative shall contact the CDFG or USFWS immediately. The CDFG contact for immediate assistance is State Dispatch at (916) 445-0045. State Dispatch will contact the local warden or biologist. The Sacramento Field Office of the USFWS and CDFG would be notified in writing within three working days of the accidental death or injury to a special-status species during project related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The USFWS contact is the Chief of the Division of Endangered Species, 2800 Cottage Way Suite W-2605, Sacramento, California 95825-1846 (916-414-6000). Submittals to CDFG should be addressed to 1416 9th Street, Sacramento, California 95814 (916-654-4262).

15. **During data collection, temporary access ramp installation, and demobilization activities,** all trash that may attract wildlife shall be properly contained, removed from the work site and disposed of regularly.

16. **During all project activities,** signs and caution flagging shall be placed around the project equipment stating the duration that the area will be restricted from recreational activities (e.g., fishing, site viewing, etc.), and recommending use of the remaining portion of the beach, parking area, or other adjacent areas for these activities until project completion. At minimum, all signs shall consist of 8.5- by 11-inch sheets placed in weatherproof plastic-sleeves containing the following information in bold print:
    a. Title of project;

I-15

b. Brief description of proposed activities;
c. Expected duration of project;
d. Project manager contact information; and,
e. Information on alternative parking and recreation access locations.

17. **During all project activities,** Lateral beach access shall be maintained.

18. **During all project activities,** energy dissipation devices, such as a hay-bale diffusion basin, shall be utilized during the proposed aquifer pump test to reduce potential erosion or sedimentation during discharge of purged groundwater. Purged groundwater shall not be discharged to the lagoon area.

19. **During all project activities,** the discharge of purged groundwater shall be conducted in accordance with a NPDES/WDR permit to be obtained from the RWQCB for the proposed pump test. Water quality testing will be utilized to determine if the water quality objectives are being violated. If a violation is indicated, the discharge will be ceased until corrective actions are implemented to ensure compliance with the water quality standards.

20. **During all project activities**, no other discharges to surface waters of concrete, asphalt, sediment, soil, drilling mud, or water shall be allowed during the proposed study activities.

21. **During all project activities,** no equipment shall be allowed below the mean high tide line unless tidal waters have receded from the authorized work area, with the exception of the geophone cable area.

Conditions to be completed during geophysical survey

22. **During the cable laying process,** divers shall avoid hard-bottom habitat to the extent feasible.

23. **During mobilization of the support vessel,** the vessel shall not cross directly in front of migrating whales, or foraging marine wildlife (e.g., foraging dolphins, sea otters, seals).

24. Support vessels shall make every effort to maintain a distance of 1,000 feet from sighted marine wildlife.

25. **In the event that the support vessel is paralleling migrating whales,** support vessels shall operate at a constant speed that is not to exceed the speed that the whales are traveling at and extreme caution will be taken to ensure that female whales shall not be separated from their calves.

26. **During mobilization,** support vessels shall not be used to herd or drive whales or other marine wildlife from the project site.

27. **During mobilization and data collection activities,** if a marine animal engages in evasive or defensive action (i.e., whales), support vessels shall drop back until the animal calms or moves out of the area.

I-16

28. If a collision with marine wildlife occurs, the vessel operator in consultation with the marine wildlife monitor shall document the conditions under which the accident occurred, including the following:

    a. Location of the vessel when the collision occurred (latitude and longitude);
    b. Date and time;
    c. Speed and heading of the vessel;
    d. Observation conditions (e.g., wind speed and direction, swell height, visibility in miles or kilometers, and presence of rain or fog);
    e. Species of marine wildlife contacted;
    f. Whether an observer was standing watch for the presence of marine wildlife; and,
    g. Names of vessel, operator (the company), and captain or officer in charge of the vessel at time of accident.

    If safe to do so, the vessel shall stop after a collision. The vessel is not obliged to stand by and may proceed after confirming that it will not further damage the animal by doing so. The vessel shall then communicate by radio or telephone all details to the vessel's base of operations. From the vessel's base of operations, a telephone call shall be placed to the Stranding Coordinator, NMFS, Southwest Region, Long Beach.

    Alternatively, the vessel captain may contact the NMFS Stranding Coordinator directly using the marine operator to place the call or directly from an onboard telephone, if available.

29. **During transit to and from the project site and while at the project site,** the survey vessel will avoid crossing surface kelp to the maximum extent feasible.

30. **During the implementation of the seismic reflection survey activities,** monitoring will be conducted by a marine mammal monitor and marine wildlife will be observed for behavioral activity. The marine mammal monitor shall have appropriate educational degrees, adequate experience, and necessary certificates to be perform such work. Any observed behavioral changes, such as dive, leaving the source, or attraction to the source will be documented. Behavior will be monitored by visual and acoustical means. Should any detrimental effects be suspected, testing will be halted immediately and CDFG, USFWS, and NOAA Fisheries will be contacted immediately.

Conditions to be completed during Phase III activities

31. **During Phase III activities,** a 1x1 meter archaeological control unit shall be excavated at each hollow-stem auger exploratory location, with the exception of those hollow-stem auger drill holes that are placed directly in a roadway. The drill holes are estimated to reach 15 to 70 feet. Archaeological excavations may extend to a depth of 3 to 8 feet. The excavation shall be guided by the cultural resources monitoring plan approved by the Department of Planning and Building, State Parks, and the SHPO.

32. **During drilling operations for all Phase III hollow stem auger holes,** monitoring shall be conducted by a qualified archaeologist familiar with the resource types potentially present in these locations. The qualified archaeologist shall conduct the monitoring activities based on a previously prepared cultural resources monitoring plan.

1-19

Conditions to be completed after project activities

33. Post-project photo-documentation shall be completed for the proposed ramp area to determine if impacts to the bluff edge or face result from the temporary placement of the access ramp. If damage to the bluff is identified and determined to be significant, the project proponent will consult with the California State Parks as landowner, the California Coastal Commission, and the County of San Luis Obispo regarding the need for restoration of the bluff area. Possible restoration activities could include repair of the bluff face to reduce further erosion or revegetation of the bluff area, if warranted.

34. Following project activities, all trash and debris would be removed from work areas

35. **At the conclusion of all project activities,** a monitoring report prepared by the environmental monitor shall be submitted to the Department of Planning and Building verifying that all measures requiring environmental mitigation have been met and that all project activities were conducted in accordance with the procedures outlined in the project-specific Wildlife Contingency Plan.

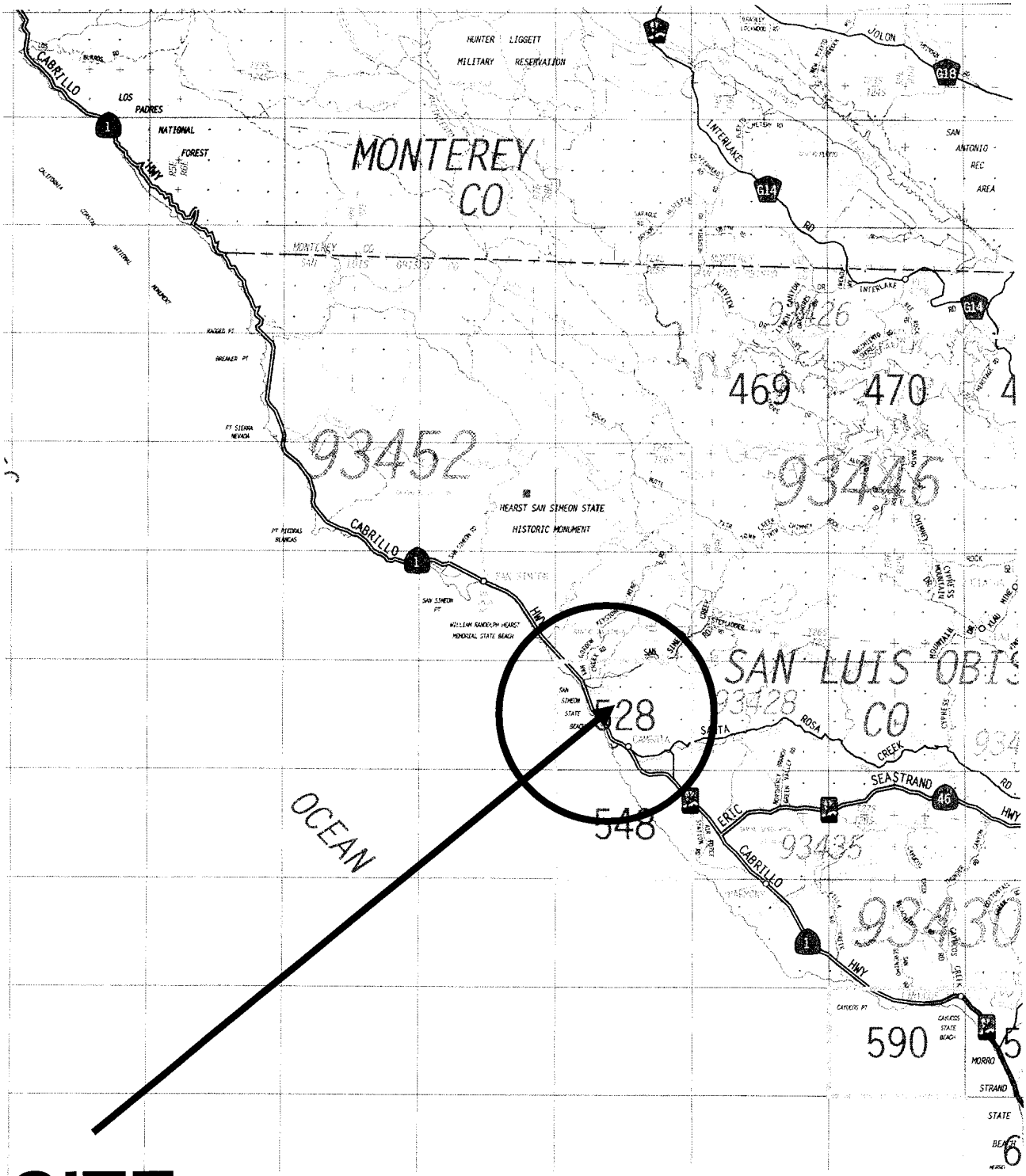
On-going conditions of approval (valid for the life of the project)

36. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.

37. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Land Use Ordinance.

1-18

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

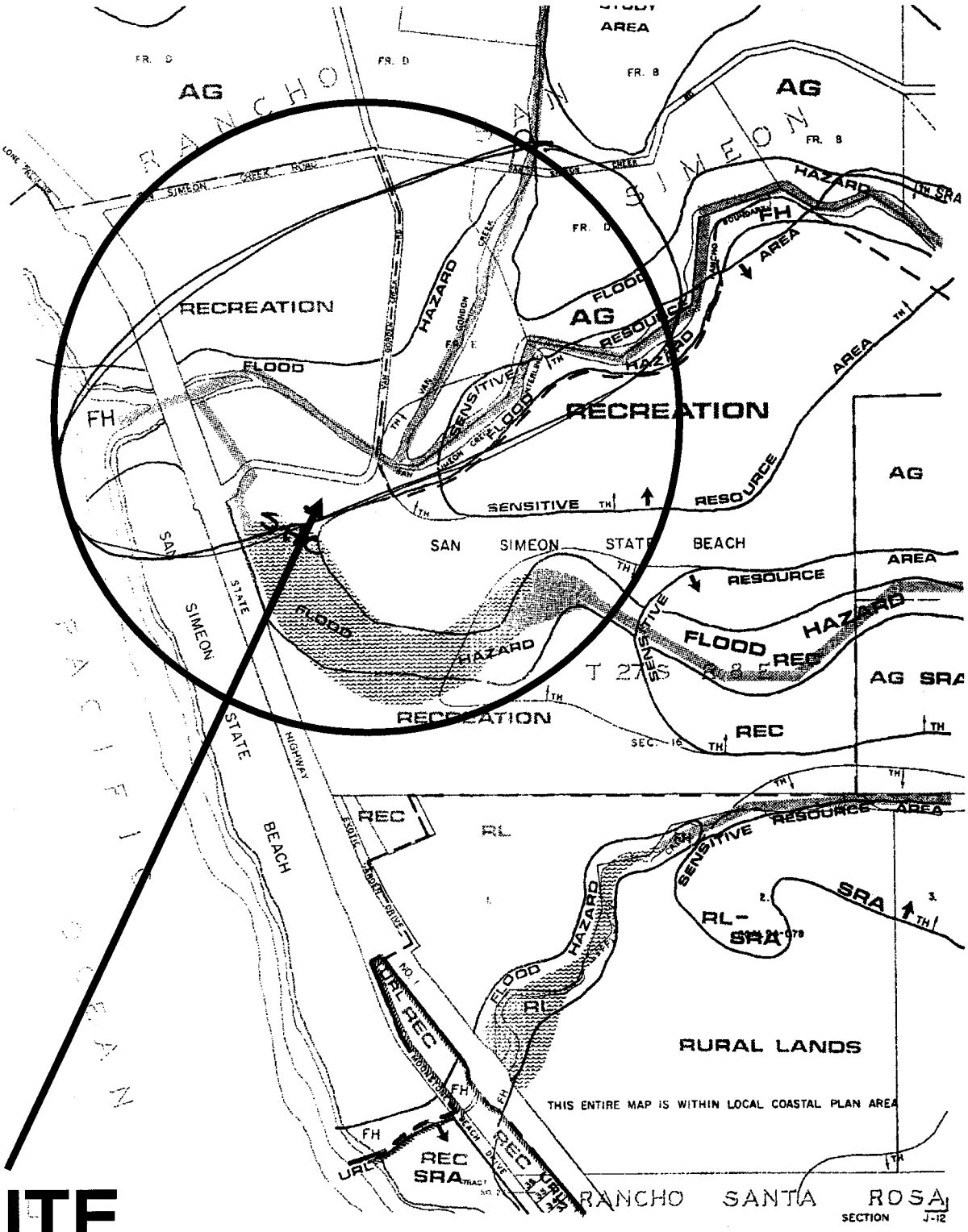
Development Plan
CCSD DRC2004-00142

EXHIBIT

Vicinity

1-19

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

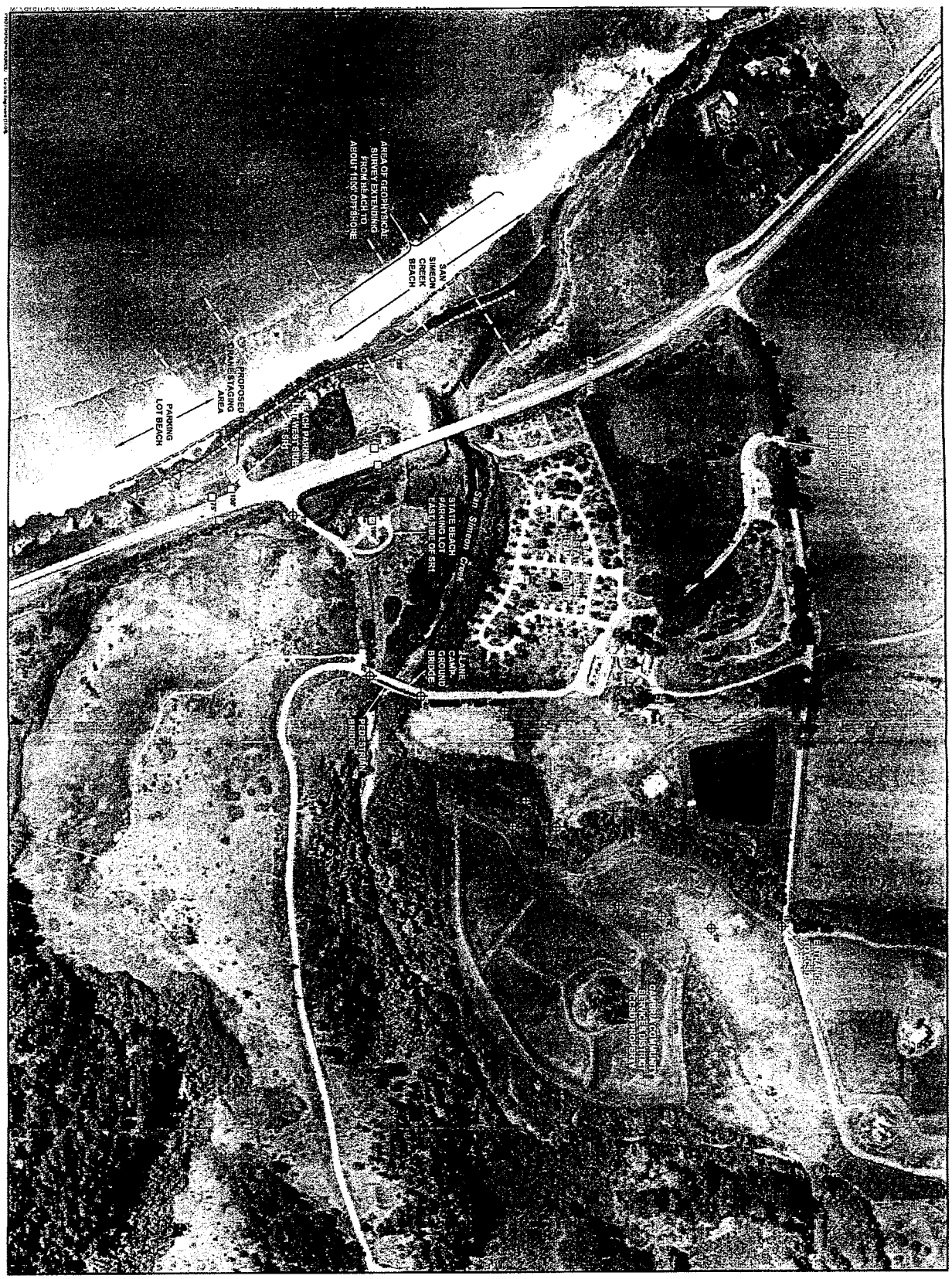
Development Plan
CCSD DRC2004-00142

EXHIBIT

Land Use Category

1-20

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING

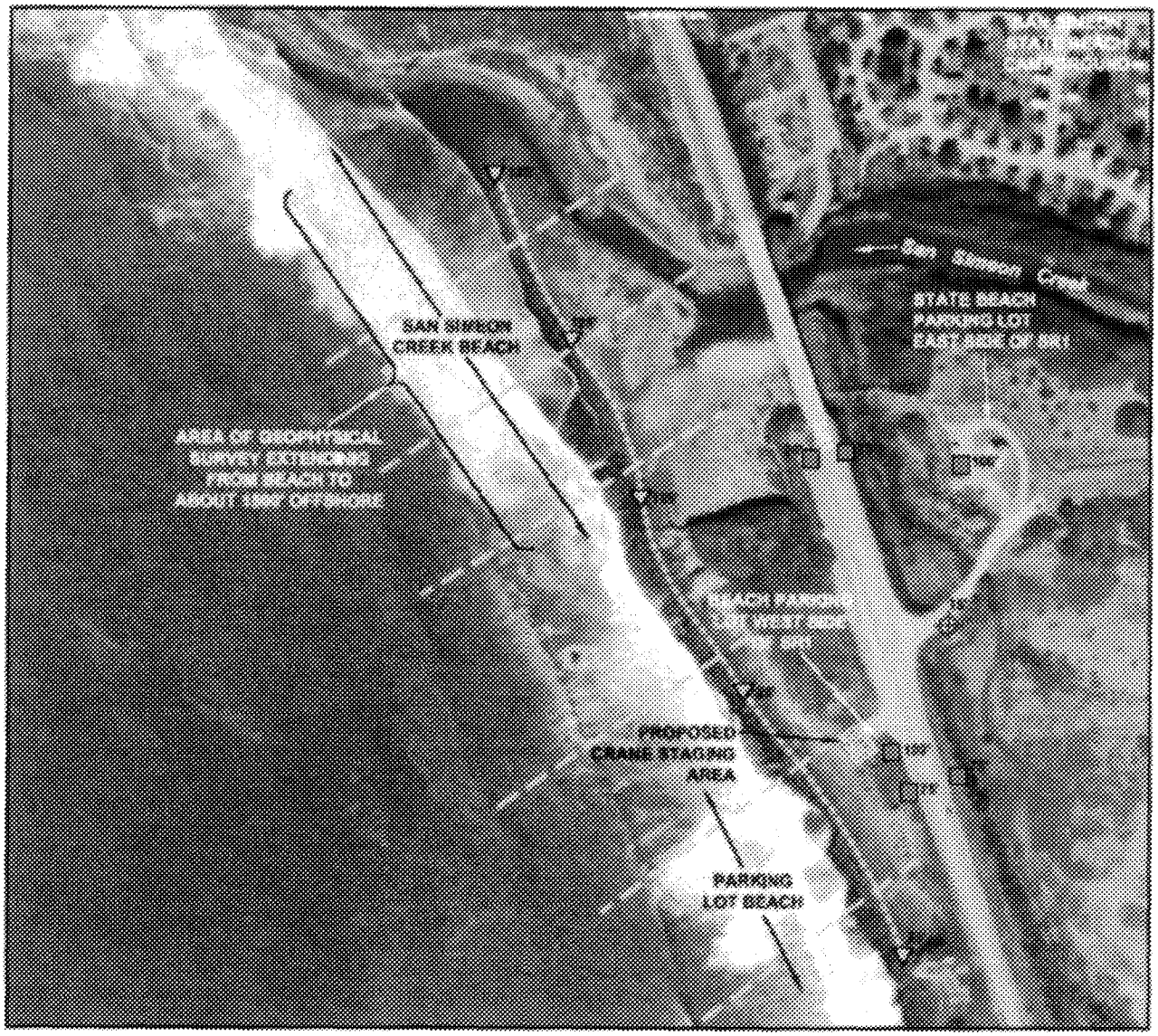


PROJECT

Development Plan
CCSD DRC2004-00142

EXHIBIT

Site Plan



Source: Fugro West, Inc. 2004.

LEGEND

- 70' — Approximate hollow stem auger drill hole location and estimated depth
- A 70' — Approximate hollow stem auger drill hole alternate location and estimated depth
- 125' — Approximate sonic drill hole location and estimated depth; two or three of the boreholes may be completed as monitoring wells
- 100' — Approximate mud-rotary drill hole location and estimated depth
- Proposed beach access route
- Proposed staging area
- Approximate line of beach profiling survey and sediment sampling

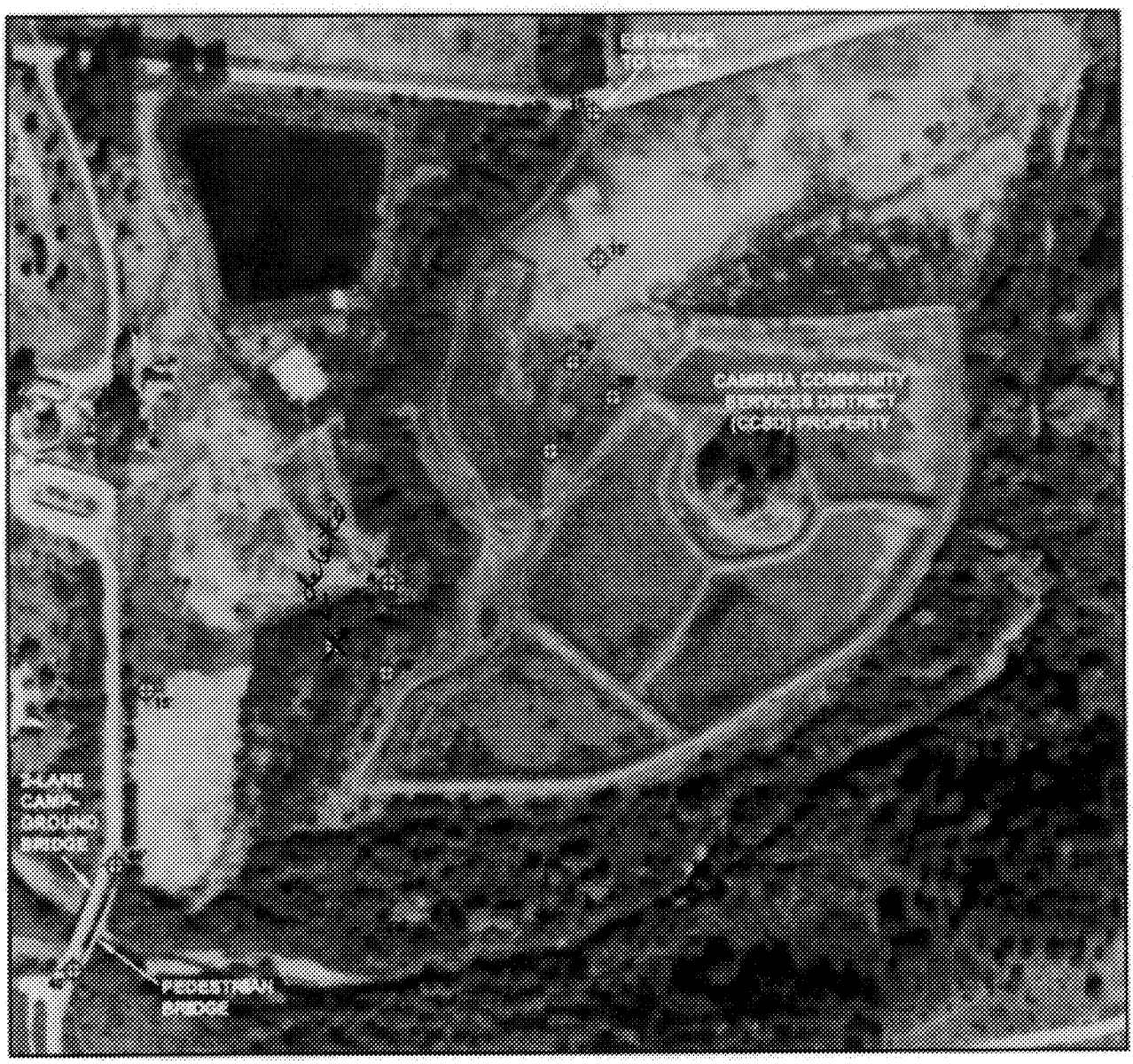
PROJECT

Development Plan
CCSD DRC2004-00142

EXHIBIT

Site Plan-Beach Area

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



Source: Fugro West, Inc. 2004.

LEGEND

- 70' — Approximate hollow stem auger drill hole location and estimated depth
- A 70' — Approximate hollow stem auger drill hole alternate location and estimated depth
- 125' — Approximate sonic drill hole location and estimated depth: two or three of the boreholes may be completed as monitoring wells
- 100' — Approximate mud-rotary drill hole location and estimated depth
- Proposed beach access route
- Proposed staging area
- Approximate line of beach profiling survey and sediment sampling

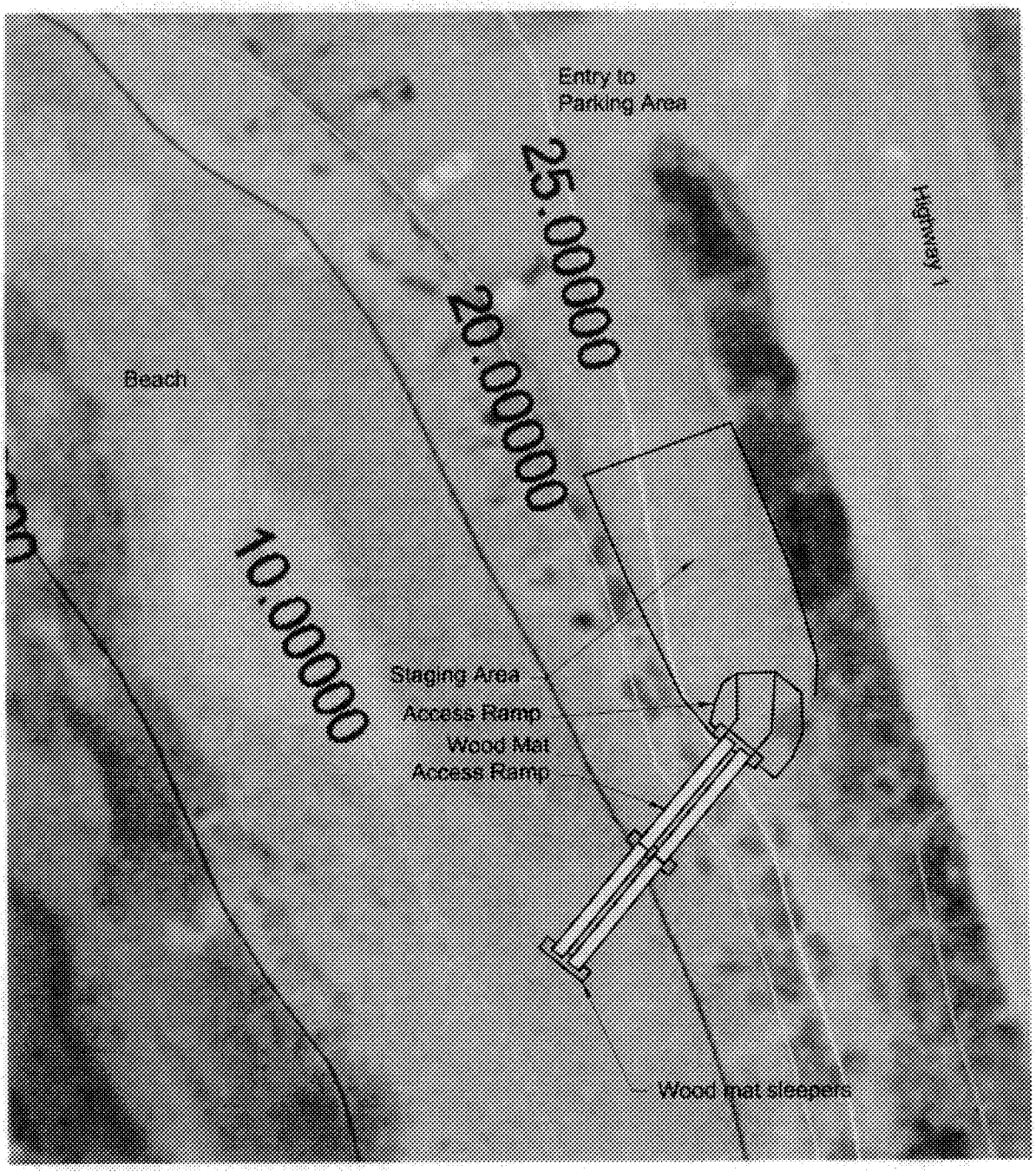
PROJECT

Development Plan
CCSD DRC2004-00142

EXHIBIT

Site Plan-East of Campground

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



NORTH

PROJECT

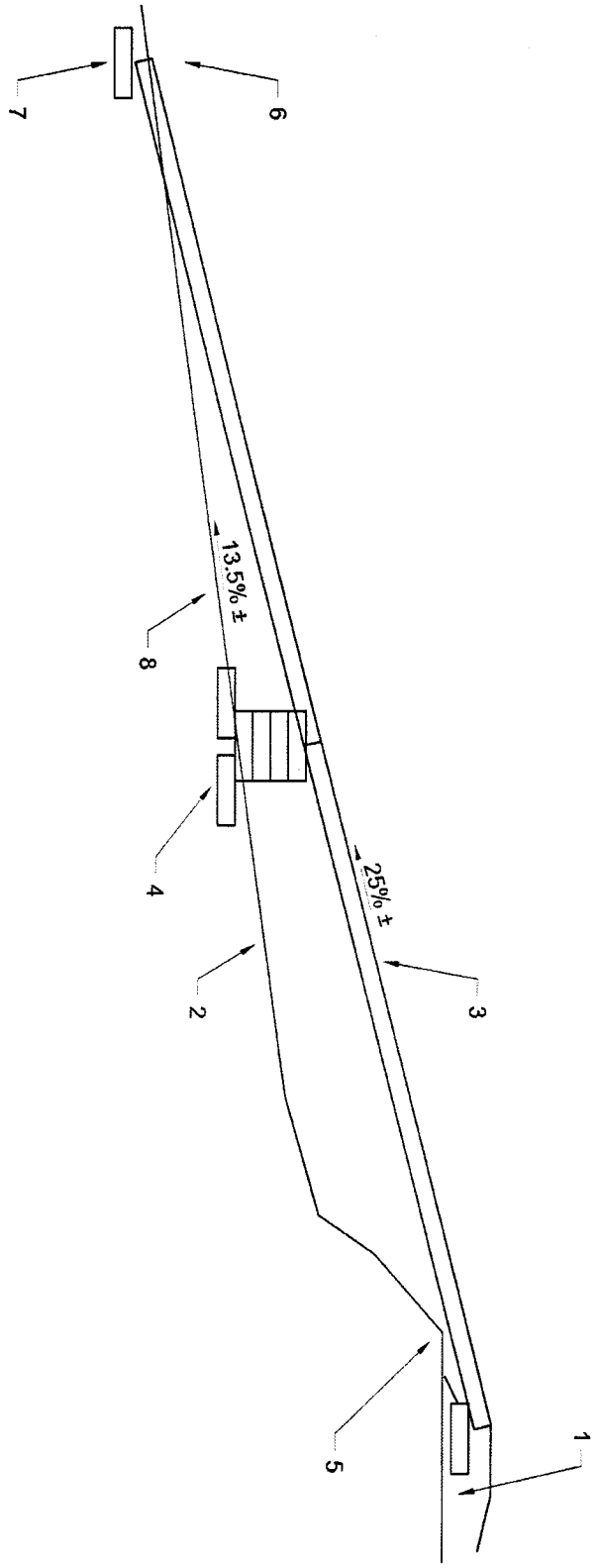
Development Plan
CCSD DRC2004-00142

EXHIBIT

Access Ramp Site

1-24

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

Development Plan
CCSD DRC2004-00142

EXHIBIT

Access Ramp Detail

1-25

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING

A. View of proposed access ramp location looking south.

B. View of proposed access ramp location from Highway 1.

PROJECT

Development Plan
CCSD DRC2004-00142

EXHIBIT

Access Ramp Photos

1-26

STATE OF CALIFORNIA — ARNOLD SCHWARZENEGGER, *Governor*

CALIFORNIA STATE LANDS COMMISSION
200 Oceangate, 12th Floor
Long Beach, CA 90802-4331

PAUL D. THAYER, *Executive Officer*
(916) 574-1800 FAX (916) 574-1810
California Relay Service From TDD Phone **1-800-735-2929**
from Voice Phone **1-800-735-2922**

Contact Phone: **(562) 590-5201**
Contact FAX: **(562) 590-5295**

August 9, 2005

File Ref: PRC 8392

Fugro West, Inc.
Attention: Mr. Robin R. Villa
4820 Mc Grath Street, Suite 100
Ventura, CA 93003-7778

Dear Mr. Villa:

Attached is one fully executed copy of the "General Permit to Conduct Geophysical Surveys" issued by the State Lands Commission on August 08, 2005 to Fugro West Inc. (PRC 8392). This permit expires on September 30, 2008.

As you are aware, the permit provides for survey activity conducted with instruments using less than two kilojoules of energy input and expressly prohibits the use of air guns and water guns, as delineated in "Exhibit B".

"Exhibit C" of the permit provides for notification procedures to be implemented prior to conducting operations under the permit. Please review "Exhibit C" carefully and advise all operational staff of the procedures in "Exhibit C"

Please note that our contact and file number is: "Geophysical Survey Permit PRC 8392". Please use this PRC number when referring to permit matters.

If you have any questions regarding this permit, please contact Richard B. Greenwood of our office at (562) 590-5897 or (562) 590-5201.

Sincerely,

Paul B. Mount II, P.E.
Chief, Mineral Resources Management Division

Enclosure: Executed Copy of the General Geophysical Survey Form

Exhibit B

AUTHORIZED EQUIPMENT AND SURVEY METHODS

Under this permit, Permittee is authorized to collect geophysical data utilizing sniffers, energy receivers, and/or acoustic pulse-generating devices not utilizing chemical explosives.

Notwithstanding the above, the permittee is authorized to operate geophysical survey equipment in State waters only under the following conditions:

1. No more than 2 kilojoules of energy input may be used on any acoustic pulse generating equipment during a survey.

2. No survey equipment may be used other than the following and equipment necessary for use of the following:

    a. Mini-sparkers;
    b. Electro-mechanical devices
    c. Side scan sonar;
    d. Fathometers;
    e. Sub-bottom profilers' and,
    f. Passive data collection devices, such as magnetometers and gravity meters.

3. Use of any air or water compression devices for generating acoustic pulses is expressively prohibited.

Any question or uncertainty as to whether particular survey equipment or methods are permitted or whether more than two kilojoules of energy input are being used shall be determined by the Staff of the California State Lands Commission.

DEPARTMENT OF TRANSPORTATION
50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
PHONE (805) 549-3111
FAX (805) 549-3329
TDD (805) 549-3259
http://www.dot.gov/dist05

Flex your power!
Be energy efficient!

May 2, 2005

MLN

SLO –1 PM 53.22
Phase 1, Geotechnical &
Hydrologic Study for the Cambria
Desalination Plant CCSD
DRC2004-00142

New Project Referral

North Coast Planning Team
Department of Planning & Building
San Luis Obispo County
County Government Center
San Luis Obispo, CA 93408

Dear North Coast Planning Team.

The California Department of Transportation (Department) has reviewed the above referenced development project to gauge its effects on the State highway system, as a result the following comments were generated.

It is not clear from the mapping provided in the referral if geotechnical & hydrologic work will be done within the Highway 1 Right of Way (R/W). If work will be done in the State's R/W then the applicant will need to apply for an encroachment permit from the Department. Please contact Mr. Steve Senet (459-3206) for more information on the encroachment permit process. Please be advised that all work done in the State's R/W will be done to the Department's engineering and environmental standards and at no cost to the State.

Thank you for the opportunity to comment on this New Project Referral. If you have any questions, please contact me at 549-3683

Sincerely,

James Kilmer
District 5
Development Review/CEQA Coordination

cc: File, D. Murray, R. Barnes, S. Senet

I-79

North Coast Advisory Council
P. O. Box 533
Cambria, CA 93428

February 16, 2005

Martha Neder, County Planner
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

Re: Actions taken at the regular meeting of the North Coast Advisory Council (NCAC) on February16, and March 16, 2005.

Dear Ms. Neder;

The actions listed below are a result of the regular meeting of the North Coast Advisory Council on February 16, 2005.

The following projects are recommended for approval with no comments:

DRC 2004-00150/Beckstrom	Remodel and addition, needs 110 TDC
DRC 2004-00142/CCSD	Desal study
DRC 2004-00133/Lopez	Remodel and addition, needs 25 TDC
SUB 2004-00218/CCOA604-00587/Warren	Lot line adjustment
DRC 2004-00140/Carrol	Addition to SFR

The following two requests for permits in regards to cell towers were reviewed and the committee recommends a new county ordinance. It is suggested in the future the ordinance be similar to Santa Barbara County where all cell phone towers are grouped together. No other comment.

DRC 2004-00147/AT&T	Cell tower in tank
D0301570/AT&T	Cell tower in flagpole

The actions listed below are a result of the regular meeting of the North Coast Advisory Council on March 16, 2005.

The following projects are recommended for approval with no comments:

DRC 2004-00185/Balcomb	Guest house/workshop
DRC 2004-00164/Carey	Addition to SFR

The following four projects have conditions to meet before approval:

DRC 2004-00180/Ellis — Guest house on garage

This request seems to violate the regulations in two areas.

1. There already exists a guesthouse shown on the property.
2. The proposed guesthouse seems to be more than fifty feet from the main dwelling.

DRC 2004-00181/Ennis — Addition to SFR

Approve with 295 TDC.

DRC2004-00176/GPSCambria LLC — Close trailer park

Any approval to close trailer park does not imply approval on plans for future use.

DRC2004-00268/Cambria Gallery — Entrance to Cambria sign

The sign design as submitted is completely unacceptable. The architects have started working on new designs to be submitted for approval

Yours truly,

Carol Broadhurst

Carol Broadhurst, Corresponding Secretary

cc: Shirley Bianchi, County Supervisor
Victor Holanda, Director Planning and Building
Anne Wyatt, Chairperson NCAC

1-31

JO – Comments

14

SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

RECEIVED
CA STATE PARKS
FEB 2 2005
SLO COAST DIST.
DISTRICT OFFICE

THIS IS A NEW PROJECT REFERRAL

DATE: 2/1/05

TO: State Parks

FROM: Martha Neder 781-4576
(Please direct response to the above)

CCSD DRC2004-00142
Project Name and Number

Development Review Section (Phone: 788-2009) *OR ASK THE SWITCH-BOARD FOR THE PLANNER

PROJECT DESCRIPTION: Phase 1: Geotechnical and Hydrological Study for ~~the~~ a Cambria Desalination Project. Phase 1 consists of advancing about seven sonic drill holes w/in the San Simeon Beach and Lagoon areas west of Hwy 1 for the intake structure and brine discharge areas.

Return this letter with your comments attached no later than: 2/15/05

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

✓ YES (Please go on to Part II)
___ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

___ NO (Please go on to Part III)
✓ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III **INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.**

PLEASE SEE ATTACHED

2-15-05 Date

VINCE CICERO Name

927-2185 Phone

State of California • The Resources Agency
Arnold Schwarzenegger, *Governor*
DEPARTMENT OF PARKS AND RECREATION
Ruth Coleman, *Director*
San Luis Obispo Coast District
750 Hearst Castle Road
San Simeon CA 93452
805/927-2065 telephone
805/927-2031 fax

February 15, 2005

Martha Neder
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

Dear Ms. Neder:

Thank you for the opportunity to comment on the Phase 1: Geotechnical and Hydrological Study for a Cambria Desalination Project proposed by the Cambria Community Services District (CCSD DRC2004-00142). This phase of the project proposes to perform a geotechnical study on the coastal strand at San Simeon State Park. To date, the Department of Parks and Recreation has supported the proposed geotechnical assessment of state park property for the project.

Although the Department is intending to allow entry onto state park property for the geotechnical study, a Right-of-Entry permit will be authorized subject to appropriate state and federal regulatory review and approval of avoidance and minimization measures implemented for the management and protection of sensitive species, specifically the federally listed Western snowy plover.

This stretch of beach experiences dynamic seasonal changes. The barrier berm for the San Simeon Creek lagoon and the shoreface experience wave overwash during winter and spring. The physical nature of the site may limit the overnight staging area to the high beach near the creek mouth. This would place the vehicle within or directly adjacent to WSP nesting habitat.

Prior to commencement of any work, I would require receipt of permits or approvals along with the corresponding agency contact and telephone numbers, and related California Environmental Quality Act (CEQA) and/or National Environmental Policy Act (NEPA), California Coastal Commission; Coastal Development Permit, San Luis Obispo County Planning and Building; Minor Use Permit, U.S. Fish and Wildlife Biological Opinion, or equivalent, and U.S. Army Corps of Engineers permit, as appropriate.

1-33

Thank you again for the opportunity to comment. Please contact Vince Cicero of my staff regarding any scheduled meetings discussing pertinent regulatory permits related to the project. Also, please do not hesitate to contact us if you have any questions.

Sincerely,

Juventino Ortiz
for

Nicholas Franco
District Superintendent

cc: Edward Redig, Superintendent, San Simeon Sector
Juventino Ortiz, District Services Superintendent

CALIFORNIA STATE PARKS

San Luis Obispo Coast District
3220 South Higuera Street, Suite 311
San Luis Obispo California 93401

FAX Cover Sheet

DATE: 2/15/05 **TIME:** 3:56 PM

TO: Martha Neder,

Dept. of Planning and Building **FAX:** 781-1242
PHONE: 781-4576

FROM: Vince Cicero **PHONE:** 805/549-3312
State Parks **FAX:** 805/541-4799

RE: Desal Comments

Number of pages including cover sheet: 4

Hi Martha,

I've attached comments for Project referral # CCSD DRC2004-00142, the CCSD geotechnical study

Thanks again for the opportunity to comment.

Please let me know if you have any questions.

Vince Cicero

1-35

14

SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

FEB - 1 2005

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 2/1/05

FROM PW

FROM (3) Martha Neder 781-4576
(Please direct response to the above)

CCSD DRC2004-00142
Project Name and Number

Development Review Section (Phone: 788-2009) *OR ASK THE SWITCH-BOARD FOR THE PLANNER

PROJECT DESCRIPTION: Phase 1: Geotechnical and Hydrological Study for ~~the~~ a Cambria Desalination Project. Phase 1 consists of advancing about seven sonic drill holes w/in the San Simeon Beach and Lagoon areas west of Hwy 1 for the intake structure and brine discharge areas

Return this letter with your comments attached no later than: 2/15/05

PART I — IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

✓ YES (Please go on to Part II)
____ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II — ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

✓ NO (Please go on to Part III)
____ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III — **INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.**

Recommend Approval — No Concerns
Area is State Parks & Cal Trans - No County Facilities

10 Feb 2005
Date

Goodwin
Name

5252
Phone

1-36

14

SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

RECEIVED
FEB / ...
CAMBRIA COMMUNITY SERVICES DISTRICT

THIS IS A NEW PROJECT REFERRAL

DATE: 2/1/05

TO: CCSD - WRS

FROM: Martha Neder 781-4576
(Please direct response to the above)

CCSD DRC2004-00142
Project Name and Number

Development Review Section (Phone: 788-2009) *OR ASK THE SWITCH-BOARD FOR THE PLANNER

PROJECT DESCRIPTION: Phase 1: Geotechnical and Hydrological Study for ~~the~~ a Cambria Desalination Project. Phase 1 consists of advancing about seven sonic drill holes w/in the San Simeon Beach and Lagoon areas west of Hwy 1 for the intake structure and brine discharge areas

Return this letter with your comments attached no later than: 2/15/05

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

✓ YES (Please go on to Part II)
____ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

✓ NO (Please go on to Part III)
____ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III **INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.**

We recommend immediate approval.

2/7/05
Date

Jayne Hannum for Bob Gresens
Name

927-6225
Phone

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STATE OF CALIFORNIA – THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, *Governor*

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
FAX: (831) 427-4877

March 9, 2005

Eric Snelling
Project Permitting Coordinator
Padre Associates, Inc.
1012 Pacific Street, Suite A
San Luis Obispo, CA 93401

Subject: CDP Application 3-05-011 (CCSD Desalination Project –Proposed Phase I Geotechnical Exploration Activities, San Simeon State Beach).

Dear Mr. Snelling:

On February 9, 2005 we received the above-referenced coastal development permit application to conduct Phase I geotechnical exploration activities at San Simeon State Beach. The proposed geotechnical exploration activities include placing a drilling rig onto the beach and advancing seven drill holes between San Simeon Creek and Parking Lot beaches. We have reviewed the materials that you have submitted to date and are in need of additional information to adequately analyze the proposed project for Coastal Act conformance. Towards this end, we are unable to file this application until the following is submitted:

1. **Verification of all other permits, permissions or approvals.** The project appears to be located on or near state tidelands or public trust lands. Please provide a written determination from the State Lands Commission whether the project would encroach onto such lands and, if so, whether the State Lands Commission has approved such encroachment. In addition, please provide evidence that State Parks has granted permission to conduct drilling activities on the beach at this location. Lastly, please provide evidence of any local discretionary approvals needed for the portion of the project within Coastal Commission original jurisdiction. Attached is the Appendix B Local Agency Review Form (included in your application submittal) that must be signed and dated by the County of San Luis Obispo in order to be deemed complete.

2. **Location of drilling and future test wells.** Coastal Act Section 30253 requires new development to minimize risk to life and property in areas of high geologic and flood hazard areas. New development must assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, and must not require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. In addition, Coastal Act Section 30233 only allows dredging or filling of open coastal waters, wetlands, or estuaries when there is no feasible less environmentally damaging alternative.

   Commission staff is concerned about geologic instability, ongoing shoreline erosion, and sea level rise in the San Simeon State Park beach area. If the Phase I drilling results are determined to be favorable, than installation of two groundwater monitoring wells on the

beach will follow. In light of these concerns, we would encourage drilling and future test well locations as far away from the actively eroding beach and bluff area as feasible. On what basis were the seven drill sites selected? Does the testing program provide sufficient data to evaluate locations further inland (e.g. east of Highway One) and away from high hazard areas? Would the future test wells and/or other infrastructure proposed at this beach location necessitate a shoreline protective device now or in the future?

3. **Biological Information.** The submitted materials do not include any information about rare or special status plant species that may exist on or adjacent to the proposed development site. This would include not only the back beach and lagoon areas, but also the blufftop staging area. Please provide a botanical survey, prepared by a qualified professional, which identifies and locates rare or special status plant species within the vicinity of the project, including equipment staging areas. In addition, please provide information about the use of the beach area, if any, by marine mammals. Also, please provide information about the amount of noise caused by the drilling activities and whether or not this noise has the potential to disturb marine mammals.

4. **Public Access and Recreation.** Coastal Act Sections 30211 and 30212 require that public access to the beach be maximized and that new development shall not interfere with the public's right of access to the beach. The project is proposed on a popular public access and recreation beach. Please submit a detailed plan that provides for maximum public access to the beach and ensures public safety. During project implementation, the plan should include details on how public high use times and locations will be avoided.

5. **Water Quality.** Coastal Act Sections 30231 and 30232 require the protection of biological productivity and the quality of coastal waters, streams, and wetlands. Does the drilling project require the temporary stockpiling of excess drill cuttings, construction equipment, or hazardous substances (e.g. oil, gas, and petroleum products)? If so, please describe in detail the containment and cleanup facilities and procedures that will be provided to prevent the possibility of waste discharge, runoff, and incidental spills that may adversely impact coastal water quality.

6. **Visual and Scenic Resources.** The proposed project is located in a highly scenic area. Commission staff is concerned that construction equipment on the beach and bluff may adversely impact public views to and along the ocean. How long will this project take to complete? Are staging and stockpiling areas available inland of Highway One and outside of the public viewshed (e.g. within State Parks parking areas)? What measures would be required to mobilize and demobilize equipment to and from areas inland of Highway One?

We will hold your client's application pending receipt of these materials. After all of the above-listed materials have been received, the application will again be reviewed and will be filed if all is in order (Government Code Section 65943(a)). Please submit all of the requested materials at the same time. Please note that there may be additional materials necessary for filing purposes depending upon the nature of the information provided pursuant to the above-listed materials.

If you have any questions regarding your application, please contact me at the address and phone number listed above.

Sincerely,

Jonathan Bishop
Coastal Program Analyst
Central Coast District Office

Cc: Mr. Bob Gresens, CCSD
Mr. David Kraska, Carollo Engineers

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padre
associates, inc.
ENGINEERS, GEOLOGISTS & ENVIRONMENTAL SCIENTISTS

May 2, 2006

Project No. 0402-2031

California Coastal Commission
725 Front Street, Suite 300
Santa Cruz, CA 95060-4508

Attention: Mr. Jonathan Bishop

Subject: Cambria Community Services District; Geotechnical/Hydrogeologic Investigation Activities Project for Proposed Desalination Facility, Cambria, San Luis Obispo County, California

Dear Mr. Bishop:

Padre Associates, Inc. (Padre), on behalf of Cambria Community Services District (CCSD), has prepared this letter in response to your February 3, 2006, letter. Specific responses to your request for information are presented below.

Permit Jurisdiction. A revised site plan is attached for your review and use. The site plan shows the locations of mean high tide and mean high-high tide line in relation to the proposed soil boring locations. A cross-sectional view of the beach area with elevations will be submitted under separate cover.

Other state and local permits, permissions or approvals. Permits or permissions, as requested, will be submitted to you once they are obtained from the County of San Luis Obispo, California Regional Water Quality Control Board, Department of Fish and Game, California State Parks, and the California State Lands Commission.

Location of Drilling and Future Test Wells. As discussed in the project's August 2005 Initial Study/Mitigated Negative Declaration (IS/MND), the proposed data collection activities will result in minor, short-term disturbance to the beach area due to soil boring activities, the construction of approximately two groundwater monitoring wells, and the installation of a temporary equipment access ramp. Soil boring locations are based on past geophysical exploration work that identified the approximate profile of underlying alluvial and bedrock in the area as well as recommendations of Fugro West's geotechnical engineers and hydrogeologists. Geophysical studies conducted during the 1990s found a subterranean channel that was filled in with alluvial material over geologic time. The bedrock below this material essential rises towards the ground surface as the channel moves inland. The narrower inland channel is along the riparian corridor of the San Simeon Creek, which may actually be more sensitive than the area proposed for this study. The proposed soil borings are attempting to verify the existence of an inland saltwater wedge, as well as the location of permeable lenses of alluvial deposits that

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would be suited for a horizontal collector well. With this information verified, the project engineers will be better able to develop additional alternatives for consideration as part of a subsequent project EIR/EIS. Such alternatives will include assessing trenchless construction methods that may reduce or eliminate future project environmental impacts. However, in order to assess this properly, the scientific data gathering effort covered by this permit needs to be completed. No shoreline protective structures are proposed as part of the planned data collection effort.

To further minimize potential environmental impacts and to ensure the collection of high quality data, the CCSD will be using an advanced rotary sonic drilling method. This equipment is track mounted, which ensures it will avoid disturbing the beach sand. In addition, no drilling mud is required with this equipment, which further avoids potential impacts. Other considerations were given towards directionally drilling holes from the east side of Highway 1. Unfortunately, this approach would require being located within bedrock areas, and would only provide limited information within the desired study area due to the low angle of a directionally drilled hole. A vertical profile of the subsurface geologic materials is needed to properly assess the deposited materials within the subterranean channel.

Biological Information - Marine Species and habitats. The proposed seismic reflection survey using a sound source of less than 2 kilojoules is not anticipated to have an adverse effect on marine species in the vicinity of the project site. Attached to this letter is a Technical Memorandum prepared by Carollo Engineers which provided more information on the sound levels likely to be experienced during the proposed seismic reflection survey. Carollo concludes that the anticipated sound levels within the ocean are well below agency accepted thresholds and will be safe for any marine mammals or other animals within the vicinity of the project site. Additionally, the State Lands Commission has issued a geophysical survey permit to Fugro West, Inc., the CCSD's geophysical/geotechnical consultant, for such tests within state waters. A copy of Fugro's permit is attached.

Streams and Riparian Habitat/Wetlands. Pursuant to your request, Padre Associates has prepared a Wetland Delineation report to ensure protection of state-designated wetland areas within the proposed geotechnical exploration area. A copy of the Padre wetland delineation report is attached. Padre identified one drill hole site that will be eliminated to avoid any potential impacts to wetland and riparian zones. A second drill hole will be modified in the field to avoid impacts to state-designated wetlands.

The proposed groundwater pumping test is planned to extend for a 24 to 48-hour period. A pump test of such a short duration is not anticipated to have any measurable effect on San Simeon Creek or the lagoon area. The purpose of the test is to ensure adequate understanding of the subterranean deposits to develop project alternatives and mitigations that would avoid potential impacts to the lagoon and creek area. The environmental assessment of project alternatives will be included in a subsequent EIR/EIS on the desalination project.

Terrestrial Species and Habitats. As requested, the amounts of site disturbance for each phase of the project are listed below. The area of disturbance for Phase I activities, located at San Simeon State Beach, are estimated to be approximately 1,135 square feet (25 square feet of equipment set up area for each drill hole location [7 total] plus 960 square feet for the temporary access ramp location [12 feet wide by 80 feet long]). No vegetation will be removed during this phase of the project. Phase II activities will result in a total site disturbance of 50 square feet for two monitoring well locations. No vegetation will be removed during this phase of the project. The geophysical survey will not require the disturbance of any additional area, but will require the deployment of geophones and hydro-phones along two parallel lines perpendicular to the beach and extending offshore approximately 1,500 linear feet. Phase III soil boring activities will result in the total disturbance of approximately 425 square feet (17 drill hole locations with 25 square feet of disturbance at each location) for the drill holes. Temporary disturbance to grasses will result from this phase of the project. No riparian vegetation will be affected by Phase III activities. Sensitive species that may be present within the project site are presented within the IS/MND, certified by the CCSD in October 2005. Mitigation measures have been required to mitigate significant impacts resulting from the proposed data collection activities on sensitive species.

Intakes and Discharges. The intake area of the proposed groundwater monitoring wells will be located between 20 and 70 feet below the ground surface depending on the findings of the Phase I drilling activities. Groundwater will be pumped from the wells during the proposed pump test which will occur over a 24- to 48-hour period. The proposed groundwater pumping test will result in the discharge of pumped groundwater to the surrounding beach area which may affect an area of approximately 200 square feet. Energy dissipation and sediment control devices will be utilized during the pumping test to control potential erosion and sedimentation effects as described in the IS/MND.

Public Access and Recreation. CCSD proposes to utilize the day-use parking lot west of Highway One and south of the San Simeon Creek as an equipment staging area and beach access point during the planned drilling and geophysical survey activities at San Simeon State Beach. During the proposed field activities, the southern portion of the day use parking lot west of Highway One would require at least partial closure for approximately ten to fifteen working day periods during the investigation. A temporary barricade would be constructed at the interim equipment ramp entrance to prevent its use by unauthorized vehicles. Temporary construction fencing may also be installed to separate investigation activities at the ramp from the public. During weekend periods, the test equipment would be relocated to CCSD property, with only the interim ramp remaining in place. Work will only be conducted on weekdays when tourist activity is less frequent. The proposed use of the parking lot would occur in the fall of 2006 (between September and November) after the end of the summer tourist season.

The partial parking lot closure would temporarily remove approximately 15 parking spaces during the two to four 8-hour workdays when the interim equipment access ramp is

installed and removed. The remainder of the test activities would require cordoning off approximately five to ten parking spaces at the southern end of the existing parking lot for equipment ingress and egress. During the overall test period, adequate substitute parking is available at the State Park parking lot directly east of the staging area. The parking lot east of Highway One has a capacity of 18 parking spaces with one handicapped parking space, as well as public restroom facilities. The east-side parking area also has a specially constructed boardwalk that provides coastal access underneath the Highway One bridge to the beach. The parking lot impacted by the access ramp activities typically has zero to three or four cars parked at any given time. These cars could be parked on the public access area immediately east of Highway 1 when the ramp installation and removal activities occur. During other project activities, the northern portion of the existing parking area can typically accommodate the same number of vehicles.

Water Quality. The IS/MND includes an analysis of potential impacts to water quality and mitigation measures are proposed to lessen impacts to water quality to less-than-significant levels. The proposed pump test activities will require a NPDES Low Threat Discharge Permit from the RWQCB. To further minimize potential environmental impacts and to ensure the collection of high quality data, the CCSD will be using an advanced rotary sonic drilling method. A Hazardous Substances Contingency Plan has been prepared for implementation during the proposed data collection activities to address spill prevention methods and contingency measures. In addition, no drilling mud is required with this equipment, which further avoids potential impacts. A copy of the Hazardous Substance Contingency Plan is attached for your review.

Visual and Scenic Resources. The use of the parking area west of Highway One is a necessary part of the proposed data collection activities because it will minimize the amount of mobilization time for the drilling rig to access the beach each day, thereby reducing the period of time required to complete the beach drilling activities. The equipment staging and access ramp are temporary impacts and will be removed immediately following completion of the data collection activities. As stated above, the test equipment would be relocated to CCSD property during weekend period, with only the interim ramp remaining in place. Work will only be conducted on weekdays when tourist activity is less frequent. The proposed use of the parking lot would occur in the fall of 2006 (between September and November) after the end of the summer tourist season.

The proposed groundwater monitoring wells will remain in place for approximately one year. The surface completions of the groundwater monitoring wells are proposed to be buried beneath the beach sand during the winter months when beach erosion could potentially expose the well. The CCSD will work with the Coastal Commission staff to ensure adequate screening and minimal visual impact of the monitoring well surface features.

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The IS/MND mitigation measures require the completion of a pre- and post-activity photo-documentation of the access ramp area to confirm that the area has not been disturbed. Following completion of the work, the area will be inspected with State Parks personnel to ensure they are satisfied with the conditions following ramp removal. If needed, a site restoration plan can also be prepared for implementation in consultation with State Parks, the County of San Luis Obispo, and the Coastal Commission.

Please contact me if you have any questions or comments. Once the coastal development permit application is deemed complete, the CCSD would like to establish a timeline for completing the coastal development permit process to facilitate implementation of the data collection activities in the September and October of 2006.

Sincerely,

Padre Associates, Inc.

Eric K. Snelling
Project Permitting Coordinator

Enclosures
cc: Mr. Bob Gresens, CCSD
Mr. David Kraska, Carollo Engineers
Ms. Martha Neder, County of San Luis Obispo